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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

RAYMOND ROY ZASTE,

Case No. 3:19-cv-01191-JR

Plaintiff,

v.

KILOLO KIJAKAZI, ACTING
COMMISSIONER, SOCIAL SECURITY

ORDER GRANTING *STIPULATED*
MOTION FOR AN AWARD OF
ATTORNEY FEES PUSUANT TO THE
EQUAL ACCESS TO JUSTICE ACT
(EAJA)

Defendant.

This matter having come before the court upon the Stipulated Motion of the parties, and this court being otherwise fully advised

IT IS HEREBY ORDERED that plaintiff is awarded Equal Access to Justice (EAJA) Fees in the amount of \$6,010.79.

IT IS FURTHER HEREBY ORDERED that under *Astrue v. Ratliff*, 130 S. Ct 2521, 2528-29 (2010), EAJA fees awarded by this Court belong to the plaintiff and are subject to offset under the Treasury Offset Program (31 U.S.C. § 3716(c)(3)(B) (2006)).

IT IS FURTHER HEREBY ORDERED that plaintiff having assigned her right to EAJA fees to her attorney, if after receiving the Court's EAJA fee order the Commissioner determines

ORDER GRANTING *STIPULATED* MOTION FOR AN AWARD OF ATTORNEY FEES
PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT (EAJA)

that plaintiff does not owe a debt that is subject to offset under the Treasury Offset Program, the Commissioner agrees to waive the requirements of the Anti-Assignment Act and the EAJA fees will be made payable to plaintiff's attorney, at her address: 14523 Westlake Drive, Lake Oswego, OR 97035.

IT IS FURTHER HEREBY ORDERED that, if there is a debt owed under the Treasury Offset Program, the requirements of the Anti-Assignment Act cannot be waived, and the remaining EAJA fees after offset will be paid by a check made out to plaintiff but delivered to plaintiff's attorney.

IT IS FURTHER HEREBY ORDERED that plaintiff is awarded costs advanced in the amount of \$400, to be made payable to plaintiff's attorney.

IT IS SO ORDERED this 12th day of April, 2022.

/s/ Jolie A. Russo

Jolie A. Russo
U.S. Magistrate Judge